IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6136 OF 2005

1. Shri Bhavarilal Javarilal Modi .. Petitioner.

V/s.

The Nasik Merchants Co-op.Bank Ltd.
and others. .. Respondents.

Mr. Rohit V. Pawaskar for the Petitioner.

Mr.R.M.Haridas for the Respondent No.1.

CORAM : R.M. SAVANT, J.

DATED : 04th JUNE, 2007.

P.C.:

. This petition filed under Article 226 of the Constitution of India, impugns the order dated 8th of June 2005 passed by the Commissioner of Co-operation and the Registrar of Co-operative Societies of Government of Maharashtra. By the said order, the petitioner's request for appointment of an arbitrator for the dispute, which he wants to espouse before the Arbitrator, namely, taking the Respondent No.1 Bank out of the purview of the Multi State Co-operative Society, has been rejected. Said rejection is on the ground that the respondent No.1 Bank has not forwarded a resolution to the said effect to the Commissioner Co-operation, who is the representative of the Central Registrar under the

Multi State Co-operative Act. The learned counsel for the respondent No.1 does not dispute the position that the reason given by the Commissioner Corporation does not fall within the parameters of the Multi State Act and specifically section 84 thereof. The learned counsel for the respondent No.1 further submits that an Arbitrator Shri P.B.Shah has been appointed with the approval of the Central Registrar. The learned counsel further submits that the petitioner is at liberty to approach the Arbitrator and espouse the said dispute before him. A notice of the same may be given to the Respondent No.1 Bank. The learned counsel for the petitioner submits that in view thereof, he would not like to press the above petition.

2. Petition is accordingly dismissed as withdrawn.

(R.M.SAVANT,J.)

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